

17

MIED (Rev.2/07) Prisoner Civil Rights Complaint

Case Number	Judge	Magistrate Judge
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Case: 2:19-cv-11799
 Judge: Cox, Sean F.
 MJ: Morris, Patricia T.
 Filed: 06-17-2019 At 10:50 AM
 PRIS DARWICH v UNITED STATES LAW LI
 BRARY OF CONGRESS, ET AL (dat)

PRISONER CIVIL RIGHTS COMPLAINT

This form is for use by state prisoners filing under 42 U.S.C. § 1983 and federal prisoners filing pursuant to *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971).

Name Ali Hussien Darwich		Prisoner No. 45049-039	
Place of Confinement USP Lewisburg			
Street P.O. Box 1000	City Lewisburg	State PA	Zip Code 17837
Are there additional plaintiffs? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
If yes, any additional plaintiffs to this action should be listed on a separate 8 1/2" x 11" sheet of paper and securely attached to the back of this complaint. <u>You must provide names, prisoner numbers and addresses for all plaintiffs.</u>			

Name United States Law Library of Congress, and Issam M. Saliba		Position Law Library Specialist	
Street/P.O. Box 101 Independence Ave Se	City Washington	State DC.	Zip Code 20540-4860
Are you suing this defendant in his/her: <input type="checkbox"/> Personal Capacity <input type="checkbox"/> Official Capacity <input checked="" type="checkbox"/> Both Capacities			
Are you suing more than one defendant? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
If yes, any additional defendants to this action should be listed on a separate 8 1/2" x 11" sheet of paper and securely attached to the back of this complaint. <u>You must provide their names, positions, current addresses and the capacity (personal, official or both) in which you are suing them.</u>			

POOR QUALITY ORIGINAL

MIED (Rev. 2/07) Prisoner Civil Rights Complaint

I. PREVIOUS LAWSUITS

Have you filed any other lawsuits in state or federal court relating to your imprisonment?

☒ Yes ☐ No

If "Yes," complete the following section. If "No," proceed to Part II.

Please list all prior civil actions or appeals that you have filed in federal court while you have been incarcerated.

Docket or Case Number:	10-CV-10775
Name of Court:	Eastern District of Michigan "detroit"
Parties (Caption or Name of Case):	United States of America
Disposition:	Close, Whit Pending Appeals

Docket or Case Number:	10-Cv-14073
Name of Court:	, Eastern District of Michigan "Detroit"
Parties (Caption or Name of Case):	City of Dearborn Et.al,
Disposition:	Close

Docket or Case Number:	
Name of Court:	Eastern District of Michigan "Detroit"
Parties (Caption or Name of Case):	United States Department of Justice et al.,
Disposition:	Close.

Any additional civil actions should be listed on a separate sheet of 8½" x11" paper and securely attached to the back of this complaint.

MIED (Rev. 2/07) Prisoner Civil Rights Complaint

II. STATEMENT OF FACTS

State here, as briefly as possible, the facts of your case. Describe how each defendant is involved. Include the names of other people, dates and places involved in the incident. Do not give any legal arguments or cite any cases or statutes. If you intend to allege several related claims, number and set forth each claim on a separate 8½" x 11" sheet of paper and securely attach the papers to the back of this complaint.

On April 2012 The United States Attorney Ronald W. Waterstreet contact United

States Law Library of Congress Specialist Issam M. Saliba to provide the Court and parties with expert of Evidence under Federal Rule of Criminal Procedure 26.1
At the time Mr. Issam M. Saliba Claim his a member of the Lebanese Bar and his
Expertises determining Ali Houssien Darwich is Not Married to Fatima H. Toufaili
By Lebanon Law . Because of Issam M. Saliba Expertises the Court Denied Darwich
his married license.

On October 31 , 2017 The Lebanon Embassy of New York By Magad Randan and
Ministry of Foreign Affairs , and the court of Lebanon Claim MR. Issam M. Saliba
didn't appoint to speak on behalf the Country of Lebanon or in Ali Darwich Case
because he lied to the Court by claiming he is bar member of Lebanese Government's.

See Attachement.

III. RELIEF

State briefly and exactly what you want the Court to do for you.

1. I want the Court to grant the marriage lesence between me and my Wife Fatima
H. Toufaili and correct the status .
2. I Want the Court to order Issam M. Saliba and The U.S. Law Library to paid
damage to darwich and his family of 8 years of pain sarching for the truth
4. Darwich been in the USP Prison far away for his Four Kids and his wife depress
and sick about Issam Saliba lies and epaster the court with false information.
4. Darwich request the Court to order Issam Saliba to paid Attorney's Fee to the
Laywer 's working to discovered he is a lier , and damaged to darwich of been
in the prison because the government's AUSA Waterstreet revoke Immunity Agrerment
Because the marriage Darwich request the Defendant's to Paid 10 Years Imprisonment.

I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct.

Executed (signed) on June 12, 2019. (date).



Signature of Plaintiff

INDEX OF EXHIBITS

<u>Exhibit</u>	<u>Description of Evidence</u>	<u>Page</u>
A.	Issam M. Saliba Opinion/Statement to AUSA Waterstreet under Rule 26.1	1.
B.	Private Proxy Undersigned by Fatima Toufaili and Ali Darwich by Lebanon General Consulate regarding the Marriage License on September 23, 2004.	2 2.
C.	Head of Jaafarite Religious Judge in Beirut, Judge Sayyed Bashir Mortada review the case on October 30, 2017 case No: 2458-2017 at the First Court of Lebanon	1.
D.	The Islamic Shariah Court grant the marriage conducted by the telephone by the judge Kasher Mortada	1.
E.	Certificate of marriage between Darwich and Toufaili filed on 2004 by the Shariah Court and Lebanon Government's In Arabic	1.
F.	Family Tree of Darwich and his wife Fatima Toufaili and his Four kids filed by Lebanon Government's and Shariah Court in Arabic.	1.
G.	December 3, 2018 Mayor of Hortaala requesting the Ministry of Justice Foreign Affairs to Due So before get out Control between Two Families Darwich And Saliba in the Country of Lebanon under Rule Eye By Eye.	1.

ISSAM SALIBA STATEMENT TO THE AUSA RONALD W. WATERSTREET.

If this Court is to consider Darwich , Absent his failure to Provide the Court with any of the necessary foreign law it is important to note, however , in allowing the united states to challenge his allegations , that Federal Rule of Criminal Procedure 26.1 frees the Court from the restraints of ordinary rules of evidence in determining foreign law . As Such the Court may rely upon other forms of sources of information such as experts, treatises, etc. which may be presented by the United States.

In anticipation of the potential of Darwich seeking to rely upon his "Telephone" Marriage", the United States contact an expert in the field of Lebanese Law . Issam M. Saliba , a member of the Lebanese Bar and Senior foreign law Specialist at the United States Law Library of Congress was provided with the stories of Toufaily And Darwich , in the light most favorable to them-that they were "married" over the telephone in 2003 at an Iman's house in Ba;baack , Lebanon where Toufaily and her Father present and that Ali Darwich's Father and Sister were also present , all of which purportedly took place prior to Toufaily's trip to United states .

the Opinion of Issam M. Saliba that such a marriage was not valid under Lebanese law. :

According to Issam Saliba , as much of the population of Muslim marriages in Lebanon fall under the jurisdiction of the Islamic Court (Sharia Court). In Order to have a valid marriage in Lebanon, the participants must obtain the approval and the recognition from the Sharia Court. Mr. Saliba indicated that normally an Islamic marriage in Lebanon is Contracted before the competent Islamic Court or before a Special officer of the court (Mazun) who is specifically authorized to conduct marriages and has obligation to prepare and send marriage certificates to be registered in the record and in the national vital statistics registry. The " Telephone Marriage", conducted by an Iman and apparently done without the express Approval of the Islamic Court , as Recalled by Toufaily , is Contrary to Lebanese Law. Mr. Saliba further Stated that it is highly unlikely that an Iman would accept to conclude a marriage contract as alleged without being authorized recordation . Darwich has failed to provide a verifiable recorded marriage contract approved by the Islamic Court that Actually took place before Toufaily's Marriage to Sleiman. thus, even under Lebanese law , Darwich was not married to Toufaily.

See: United States V. Ali Darwich , Case No : 10-CT-20705-04
filed on April 23, 2012 at pg. 11, and 12. Docket Sheet # 452.

EXHIBITS A.

To, Counselor J. Vayda



Ref. no. 2458-2017
NOTRE TRADUCTION A SERVICES SAUF

General Consulate of Lebanon
Detroit

Private Proxy

I, the undersigned, Fatima Hussein Toufaily, a Lebanese, residing currently in the USA, on the following address:
7419 Normile, Dearborn, Michigan, 48126, USA PH (313) 999-2992,
enjoying the terms stated in the applicable laws, hereby declare willingly:

I hereby delegate, in my personal capacity, and on my behalf, my father Hussein Ali Toufaily, a Lebanese, residing in Doures-Baalbeck, to perform for me in the Lebanese Republic, to appear and represent me before all the courts, of all tasks and instances, particularly the religious and civil courts, civil status courts, and perform and execute the transactions of my marriage contract to Ali Hussein Darwich, a Lebanese, his mother is Nazima-residing in USA. My proxy has the right to register our marriage before the persona affairs departments and obtain familial and individual civil status extracts, marriage certificate, and sign on my behalf all the necessary documents and papers for this purpose before all the competent official departments in the Lebanese Republic and what's related to it, a general proxy in this regards, authorized for his opinion and action, delegate whom he desires with all what I delegated him to or some, isolate whom he delegates and perform what my best interest requires religiously and legally in this regards in the Lebanese Republic. In witness whereof, it was issued in Detroit on 23.09.2004.



الجمهورية اللبنانية
القنصلية العامة في ديترويت
مقر القنصلية
7419 Normile, Dearborn, Michigan, 48126, USA
هاتف: (313) 999-2992
فاطمة حسين توفايلى
أخو: حسين علي توفايلى
أخت: نازما توفايلى
www.kalimaonline.com



Ref. no. 2458-2017
FOR TRANSLATION & SERVICES MAIL

General Consulate of Lebanon
Detroit

Private Proxy

I, the undersigned, Ali Hussein Darwich, a Lebanese, residing currently in the USA, on the following address:
7419 Normile, Dearborn, Michigan, 48126, USA PH (313) 999-2992, enjoying the terms stated in the applicable laws, hereby declare willingly:

I hereby delegate, in my personal capacity, and on my behalf, my father Hussein Ali Darwich, a Lebanese, residing in Taybe-Baalbeck, to perform for me in the Lebanese Republic, to appear and represent me before all the courts, of all tasks and instances, particularly the religious and civil courts, civil status courts, and perform and execute the transactions of my marriage contract to Fatima Hussein Toufaily, a Lebanese, his mother is Afaf-residing in USA. My proxy has the right to register our marriage before the persona affairs departments and obtain familial and individual civil status extracts, marriage certificate, and sign on my behalf all the necessary documents and papers for this purpose before all the competent official departments in the Lebanese Republic and what's related to it, a general proxy in this regards, authorized for his opinion and action, delegate whom he desires with all what I delegated him to or some, isolate whom he delegates and perform what my best interest requies religiously and legally in this regards in the Lebanese Republic. In witness whereof, it was issued in Detroit on 23.09.2004.



for admission of both parties, certified by the marriage contract and medical report, and the two proxies duly certified, attached to the file for a dowry: ten thousand American dollars and its delayed dowry ten thousand American dollars only, to be paid upon divorce and death. It was certified religiously, the marriage of Ali Hussein Darwich and Fatima Hussein Toufaily since 23.09.2003, a legal decision issued on 01.12.2004.

True copy issued on 30.10.2017

Jaafarite religious judge of Baalbeck, Sheikh Mohamad Yehfoufi
(signature and seal)

Chief clerk, (signature and seal)

Head of Jaafarite religious judge in Beirut, judge Sayyed Bashir

Mortada (signature and seal)

Legalization of the signature and seal of Jaafarite religious court of
Baalbeck

True translation of the original Arabic text hereto attached 30.10.2017

EXHIBITS C.

[illegible]

Ministère des Affaires étrangères
Bureau des Passports
Section des Legalisations
No. 12819

30 OCT 2017

[Handwritten signature]


15. *Chrysomelidae*

Signature of _____

OPTIONAL DU DOCUMENT

STANLEY

100-443887-100



VICTOR NASH

100-443887-100

100

1949

1942

[illegible]

100-443887-100

100

مكة المكرمة

100

100

100

[illegible]

THE

1954

100

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

its D.

SECRET

100-443887-100

[illegible]

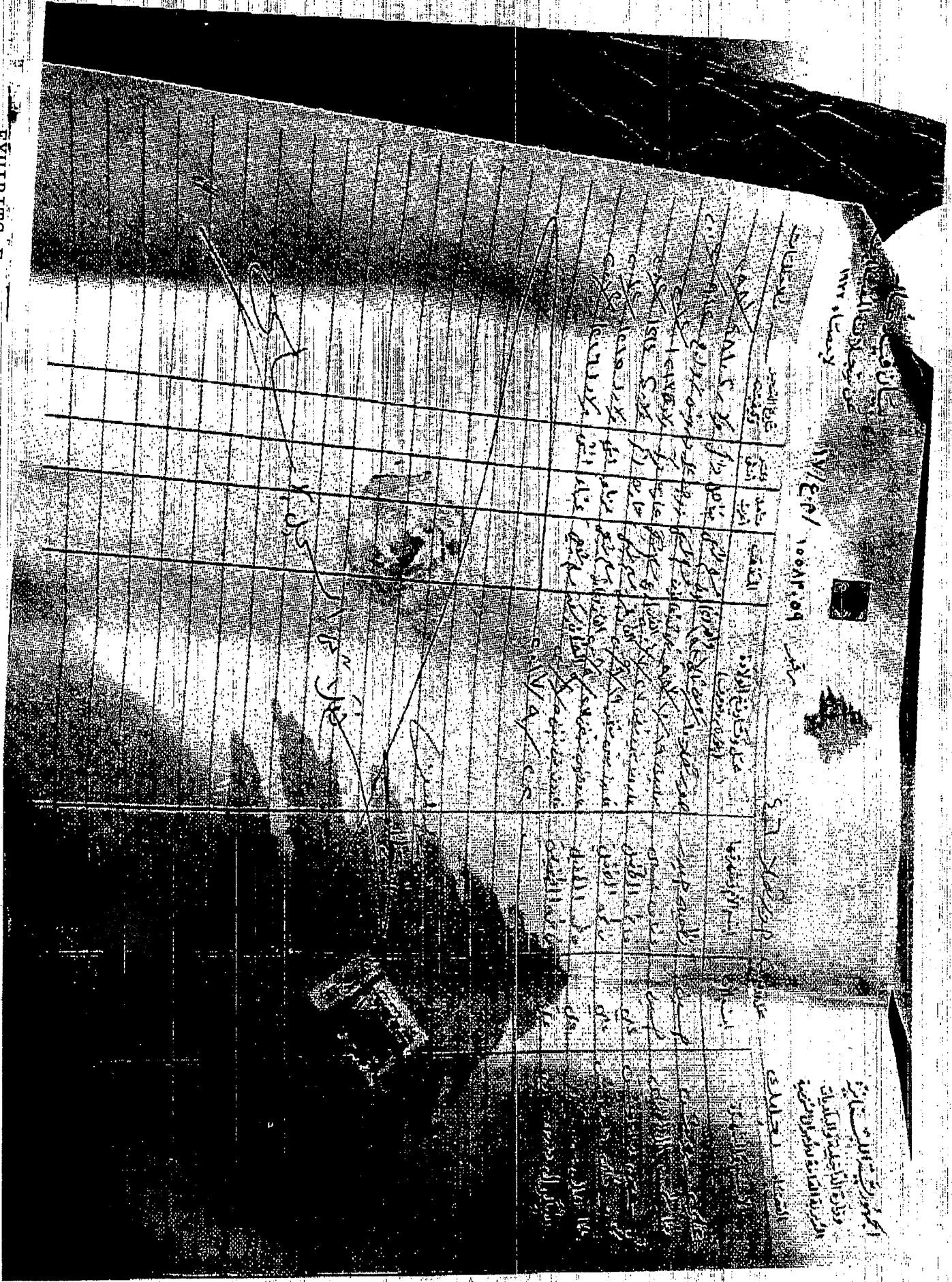
1. The first part of the document is a letter from the President of the United States to the Congress, dated January 1, 1861. It is a formal address, and it is the first of its kind since the signing of the Constitution. The President, James Buchanan, is addressing the Congress, and he is doing so in a very formal and dignified manner. He is discussing the state of the Union, and he is discussing the issues that are facing the country at that time. He is also discussing the role of the President, and he is discussing the responsibilities of the Congress. The letter is a very important document, and it is a very interesting one to read. It gives us a glimpse into the mind of the President, and it gives us a glimpse into the state of the country at that time. It is a document that is worth reading, and it is a document that is worth studying.

Exhibits D.

EXHIBITS E

EXHIBITS E

EXHIBITS F.





Samar KASSAS
Sworn translator
BAALBECK-LEBANON
Tel: 03/837969

Lebanese Republic
Ministry of Interior and Municipalities

Province: BAALBECK-HERMEL
District: BAALBECK
THE MAYOR OF HORTAALA

Fax to case manager of AardH
Block Mr. D. Nagle or Mr. G Shuck
The information for Lebanon
government and family included the
Attorney of Ali Hussein Darwich
Federal numb 45040-039

Serial No.: 341
Date: On 25 November, 2018

To whom family concern

We the undersigned Nazih Ali DARWICH, mayor of HORTAALA do hereby attest that Mr. Ali Hussein DARWICH, born in 1981, register No.46/ HORTAALA, in BAALBECK, sentenced in jail at the United States of America.

After many conversations done by the family of the detainee Ali Hussein DARWICH with the Ministry of Foreign Affairs it has been noticed the Ministry of Foreign Affairs didn't appoint any person to deal with the case of the prisoner Ali Hussein DARWICH, to give any opinion about the said case and in particular Mr. Issam Michel SALIBA.

If Mr. Mr. Issam Michel SALIBA is appointed to be the representative in the said case he should present the legal papers from the Ministry of Justice to show his nomination legally.

In fact, the Ministry of Justice doesn't appoint any person in any case revision outside the Lebanese territory without receiving in prior a decision from the council of Ministers, moreover the nominate representative should be an attorney-at-law. Consequently, the Ministry of Justice doesn't issue any attestations of this kind. Therefore, in case this attestation is forged the penal code will punish its actor as stipulated by the laws in force.

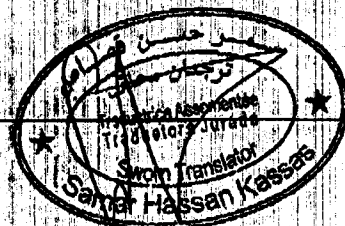
For confirmation I kept the voice call of the minister when he answered the family about the true information in this regard.

This attestation has been issued upon the request of the family of detainee Ali Hussein DARWICH.

The mayor of HORTAALA-district of BAALBECK
Nazih Ali DARWICH
Seal, stamp and signature
Tel:03/772294

Translation identical to the Arabic text enclosed

BAALBECK
On 03 December, 2018





admission of both parties, certified by the marriage contract and medical report, and the two proxies duly certified, attached to the file for a dowry: ten thousand American dollars and its delayed dowry ten thousand American dollars only, to be paid upon divorce and death. It was certified religiously, the marriage of Ali Hussein Darwich and Fatima Hussein Toufaily since 23.09.2003, a legal decision issued on 01.12.2004.

True copy issued on 30.10.2017

Jaafarite religious judge of Baalbeck, Sheikh Mohamad Yahfoui
(signature and seal)

Chief clerk, (signature and seal)

Head of Jaafarite religious judge in Beirut, judge Sayyed Bashir

Mortada (signature and seal)

Legalization of the signature and seal of Jaafarite religious court of
Baalbeck

True translation of the original Arabic text hereto attached: 30.10.2017S



Summary Complain Return of Service

Case No.

Hon.

A Copy of the Summary Complain has been Served in the Manner indicated below:

Name of Individual Served: Issam M. Saliba

Date of Service: _____

Method of Service

____ Personally served at this address: Issam M. Saliba
101 Independence Ave Se
Washington DC. 20540-4860.

____ Returned unexecuted (reason):
21 Days.

Service Fees: Unless the Summary was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness fees for one day's attendance, and the mileage allowed by law, in the amount of \$_____.

My fees are \$_____ for travel and \$_____ for services, for a total of \$_____.

Declaration of Server

I declare under the penalty of perjury that the information contained in this Return of Service is true and correct.

Name of Server: _____

Signature of Server: _____

Date: _____

Server's Address: _____

Summary Complain Return of Service

Case No.

Hon.

A Copy of the Summary Complain has been served in the manner indicated below:

Name of Individual Served: United States Lae Library of Congress official

Date of Service: _____

Method of Service

____ Personally served at this address: Official Capacity Owner
101 Independence Ave Se
Washington DC. 20540-4860.

____ Returned unexecuted (reason):
21 Days

Service Fees: Unless the Summary was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness fees for one day's attendance, and the mileage allowed by law, in the amount of \$_____.

My fees are \$_____ for travel and \$_____ for services, for a total of \$_____.

Declaration of Server

I declare under the penalty of perjury that the information contained in this Return of Service is true and correct.

Name of Server: _____

Signature of Server: _____

Date: _____

Server's Address: _____



Inmate Name: Ali Darwich
Register Number: 45049-039
United States Penitentiary
P.O. Box 1000
Lewisburg, PA 17837

Clerk of the Court
United States District Court
Eastern District of Michigan
231 West Lafayette Blvd.
Detroit Michigan 48226

U.S. MARSHAL

CIVIL COVER SHEET FOR PRISONER CASES

Case No. <u>19-11799</u> Judge: <u>Sean F. Cox</u> Magistrate Judge: <u>Patricia T. Morris</u>	
Name of 1st Listed Plaintiff/Petitioner: ALI HUSSEIN DARWICH	Name of 1st Listed Defendant/Respondent: UNITED STATES LAW LIBRARY OF CONGRESS ET AL
Inmate Number: 45049-039 Plaintiff/Petitioner's Attorney and Address Information: Correctional Facility: USP LEWISBURG P.O. BOX 1000 LEWISBERG, PA 17837	Additional Information:

BASIS OF JURISDICTION

- ☒ 2 U.S. Government Defendant
☐ 3 Federal Question

ORIGIN

- ☒ 1 Original Proceeding
☐ 5 Transferred from Another District Court
☐ Other:

NATURE OF SUIT

- ☐ 530 Habeas Corpus
☐ 540 Mandamus
☒ 550 Civil Rights
☐ 555 Prison Conditions

FEE STATUS

- ☒ IFP *In Forma Pauperis*
☐ PD Paid

PURSUANT TO LOCAL RULE 83.11**1. Is this a case that has been previously dismissed?**

- ☐ Yes
 ☒ No

➤ If yes, give the following information:

Court: _____

Case No: _____

Judge: _____

2. Other than stated above, are there any pending or previously discontinued or dismissed companion cases in this or any other court, including state court? (Companion cases are matters in which it appears substantially similar evidence will be offered or the same or related parties are present and the cases arise out of the same transaction or occurrence.)

- ☐ Yes
 ☒ No

➤ If yes, give the following information:

Court: _____

Case No: _____

Judge: _____